

BEYS LISTON & MOBARGHA LLP  
Michael P. Beys

November 7, 2016

VIA ECF & FACSIMILE (212-805-7986)

The Honorable Paul G. Gardephe  
United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007-1312

Re: *United States v. Kaleil Isaza Tuzman*, No. S7 15 Cr. 536 (PGG)

Dear Judge Gardephe:

We are counsel to defendant Kaleil Isaza Tuzman, who is currently on home detention, with travel restricted to the Southern District of New York. We respectfully submit this letter to seek permission for Mr. Isaza Tuzman (1) to travel to Washington, D.C. on Thursday, November 10, 2016 to meet with attorneys and other officials in connection with his legal defense and related matters, and (2) to travel to Pennsylvania over the weekend of November 11-13, 2016, to participate in a Holocaust Memorial Teach-in in his grandparents' memory. Pretrial Services consents to both requests, but the government only consents to the family gathering in Pennsylvania and objects to Mr. Isaza Tuzman's application to travel to Washington, D.C.

Specifically, Mr. Isaza Tuzman seeks permission to travel to Washington, D.C. on November 10, 2016, to meet with Gregory Craig, an attorney at Skadden Arps Slate Meagher & Flom LLP and former White House Counsel (2009-2010), as well as attorneys at Gibson Dunn & Crutcher LLP, his current counsel. If possible, Mr. Isaza Tuzman may also meet a representative of the Inter-American Commission on Human Rights and a representative of the U.S. State Department. Mr. Isaza Tuzman would be accompanied on his trip to Washington, D.C. by Ambassador Gabriel Guerra-Mondragón, a lawyer and the former U.S. Ambassador to Chile from 1994 to 1998. The purpose of the meetings is to discuss his legal defense, the circumstances of his arrest and imprisonment in Colombia at the request of the government, and related legal matters. Several of the parties involved were unable to meet Mr. Isaza Tuzman in this District in the near future, hence the request for travel outside of the District. Mr. Isaza Tuzman would return to New York City later in the evening of November 10<sup>th</sup>.

Mr. Isaza Tuzman also seeks permission to travel to the Eastern District of Pennsylvania on Friday, November 11, 2016 to attend the annual Arnold and Esther Tuzman Holocaust Memorial Teach-In (<http://www.gratz.edu/page/-/Tuzman.pdf>), commemorating Kristallnacht. There will be a private family unveiling of a memorial to Arnold and Esther Tuzman (the defendant's grandparents, who were Holocaust survivors) on Saturday, November

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12, 2016 at 2pm at the Shalom Cementary in Huntingdon Valley, PA, and a public event on Sunday, November 13, 2016 at Gratz College in Melrose Park, PA, in which the defendant's family members will be participating. If the request is approved, Mr. Isaza Tuzman would attend Shabbat services locally on Friday evening and Saturday morning, and stay at the home of his uncle Martin Tuzman at 707 Rambler Road in Elkins Park, PA on both the evenings of November 11 and 12, 2016. He would return to New York City on the evening of Sunday, November 13<sup>th</sup>.

There have been several prior, approved requests for the defendant to travel outside this District (ECF 94, 100, 112, 118, 122 and 124), in some cases to the same Philadelphia locales requested here (ECF 94, 122 and 124). With each prior travel request, Mr. Isaza Tuzman left from and returned to the District as scheduled and without incident.

I have communicated with Assistant U.S. Attorney Damian Williams about these two requests. The government consents to the request to travel to Pennsylvania but opposes the request for Mr. Isaza Tuzman to meet with lawyers and other officials in Washington, D.C. on November 10. I have also communicated with Pretrial Services Officer John Moscato, and he has no objection to either travel request.

We sincerely apologize to the Court for our failure to submit this letter "at least one week prior to travel" as required by Your Honor's recent order. (ECF 125). Despite our best efforts, it was difficult to coordinate logistics for the Washington, D.C. meetings. As a result, we were only able to seek the government's consent to the Washington, D.C. travel request on the afternoon of Friday, November 4, 2016, and only received the government's objection to that application earlier today.

We thank the Court in advance for its consideration and apologize again for the untimeliness of this submission.

Respectfully Submitted,

/s/ Michael P. Beys

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Michael P. Beys, Esq.  
*Counsel for Kaleil Isaza Tuzman*

cc. All Counsel of Record (via ECF)  
Officer John Moscato, U.S. Pretrial Services (via email)